

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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IN RE THE RESERVE FUND : MDL No. 09-md-2011 (PGG)
SECURITIES AND DERIVATIVE :
LITIGATION :
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AMERIPRIZE FINANCIAL SERVICES, :
INC. and SECURITIES AMERICA, INC., :
: Plaintiffs,
: :
v. : No. 09-cv-1288 (PGG)
: :
RESERVE MANAGEMENT COMPANY, :
INC., RESRV PARTNERS, INC., BRUCE :
BENT SR., BRUCE BENT II, and :
ARTHUR T. BENT, : NOTICE OF MOTION
: TO DISMISS
Defendants. : ORAL ARGUMENT
-----x REQUESTED

C O U N S E L O R S :

PLEASE TAKE NOTICE that, upon the annexed declaration of Fran M. Jacobs, dated June 25, 2010, along with the exhibits thereto, and the prior pleadings and proceedings herein, defendants Reserve Management Company, Inc., Resrv Partners, Inc., Bruce Bent Sr., Bruce R. Bent II, and Arthur T. Bent, by their attorneys, will move this Court before the Hon. Paul G. Gardephe, in the United States District Court for the Southern District of New York, 500 Pearl Street, New York, NY, at a date and time to be determined, for an order dismissing with prejudice the Second Amended Complaint of plaintiffs Ameriprise Financial Services, Inc. and Securities America, Inc. for failure to state a claim upon which relief can be granted pursuant to Fed. R. Civ. P. 12(b)(6); for failure to comply with the pleading requirements of Fed. R. Civ. P. 8 and 9(b) and the Private Securities Litigation Reform Act (the "PSLRA"); and on the ground that their state law claims are preempted by the Securities Litigation

Uniform Standards Act of 1998, 15 U.S.C. § 78(bb)(f); and granting such other and further relief as the Court may deem just and proper.

PLEASE TAKE FURTHER NOTICE that, pursuant to agreement, answering papers, if any, shall be served and filed on or before August 6, 2010.

PLEASE TAKE FURTHER NOTICE that, pursuant to agreement, reply papers, if any, shall be served and filed on or before August 27, 2010.

Dated: New York, NY
June 25, 2010

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